

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SWINTER GROUP, INC.,

Plaintiff,

v.

FLEETONE, L.L.C.,

Defendant.

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No. 4:16-cv-01464 JAR

JOINT MOTION TO REMAND

Plaintiff Swinter Group, Inc., and Defendant FleetOne, L.L.C., jointly move to remand the case to the Circuit Court of St. Charles County, Missouri, with all parties to bear their own costs and any actual expenses incurred as a result of the removal.

Defendant takes the position that this Court lacks federal subject-matter jurisdiction. Plaintiff disagrees, but rather than expend additional and unnecessary time and resources involved in filing and opposing a motion for summary judgment on jurisdictional grounds, and potentially litigating a related appeal, the parties have agreed to jointly seek remand to the Circuit Court of St. Charles County, Missouri, where there would be no question about the court's jurisdiction to proceed with this case or to approve a class settlement.

WHEREFORE, Plaintiff Swinter Group, Inc., and Defendant FleetOne, L.L.C., request that the Court grant this motion.

SO ORDERED ON MAY 17th 2017:


JOHN A. ROSS

UNITED STATES DISTRICT JUDGE